

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

: CRIMINAL NO.

v.

: DATE FILED: _____

EUGENE EGGLESTON

: VIOLATIONS:
21 U.S.C. §§ 841(a)(1) and
841(b)(1)(A) (possession with
intent to distribute in excess of 5
kilograms of cocaine)
18 U.S.C. § 924(c)(1) (possession of a
firearm in furtherance of a drug
trafficking crime)
18 U.S.C. § 922(g)(1) (felon in
possession of a firearm)
Notice of additional factors
Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about September 9, 2004, at Philadelphia, in the Eastern District of
Pennsylvania, defendant

EUGENE EGGLESTON

knowingly and intentionally possessed with intent to distribute more than 5 kilograms of a
mixture or substance containing a detectable amount of cocaine, a Schedule II controlled
substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 9, 2004, at Philadelphia, in the Eastern District of Pennsylvania, defendant

EUGENE EGGLESTON

knowingly possessed the following three firearms:

(1) a loaded Norinco MAC 90 Sportster semi-automatic rifle, serial no.

94114727;

(2) a loaded Masterpiece Arms 9 mm. semi-automatic rifle, serial no. B1797;

and

(3) a loaded Ruger 9 mm. semi-automatic pistol, serial no. 30187268;

in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 9, 2004, at Philadelphia, in the Eastern District of Pennsylvania, defendant

EUGENE EGGLESTON,

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce three firearms:

(1) a loaded Norinco MAC 90 Sportster semi-automatic rifle, serial no.

94114727;

(2) a loaded Masterpiece Arms 9 mm. semi-automatic rifle, serial no. B1797;

and

(3) a loaded Ruger 9 mm. semi-automatic pistol, serial no. 30187268.

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offenses charged in Counts One, Two and Three of this indictment, defendant **EUGENE EGGLESTON**:

a. Committed an offense and relevant conduct involving more than 5 kilograms of cocaine, as described in U.S.S.G. § 2D1.1(a)(3).

b. Committed an offense in which a dangerous weapon (including three firearms) was possessed, as described in U.S.S.G. § 2D1.1(b)(1).

2. In committing the offenses charged in Counts Two and Three of this indictment, defendant **EUGENE EGGLESTON**:

a. Committed any part of the instant offenses subsequent to sustaining at least two felony convictions of either a crime of violence or a controlled substance offense, as described in U.S.S.G. § 2K2.1(a)(2).

b. Committed an offense in which any firearm was stolen, as described in U.S.S.G. § 2K2.1(b)(4).

c. Used and possessed any firearm and ammunition in connection with another felony offense, as described in U.S.S.G. § 2K2.1(b)(5).

_____3. In committing the offenses charged in Counts One, Two and Three of this indictment, defendant **EUGENE EGGLESTON** was a career offender, as described in U.S.S.G.

§ 4B1.1.

_____4. In committing the offenses charged in Counts Two and Three of this indictment defendant **EUGENE EGGLESTON**;

_____a. Committed the instant offense while under a criminal justice sentence, that is, parole, as defined by U.S.S.G. § 4A1.1(d).

b. Committed the instant offense less than two years after release from imprisonment on a sentence of imprisonment exceeding one year and one month, as defined by U.S.S.G. § 4A1.1(a) and (e).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Sections 924(c)(1) and 922(g)(1) set forth in Counts Two and Three of this indictment, defendant

EUGENE EGGLESTON

shall forfeit to the United States of America, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), the firearms and ammunition involved in the commission of this offense, including, but not limited to:

- (1) a Norinco MAC 90 Sportster semi-automatic rifle, serial no. 94114727;
- (2) a Masterpiece Arms 9 mm. semi-automatic rifle, serial no. B1797; and
- (3) a Ruger 9 mm. semi-automatic pistol, serial no. 30187268.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

A TRUE BILL:

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY

